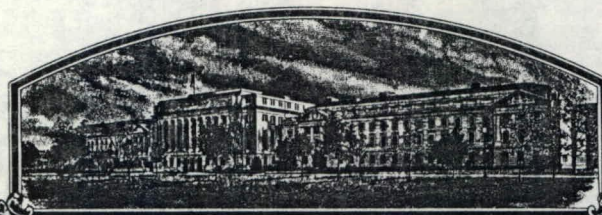


No.

8500032



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

W-I Research, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE
Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF *eighteen* YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. UNITED STATES SEED OF THIS VARIETY (1) SHALL BE SOLD BY VARIETY NAME ONLY AS OF CERTIFIED SEED AND (2) SHALL CONFORM TO THE NUMBER OF GENERATIONS BY THE OWNER OF THE RIGHTS. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

ALFALFA

'WL 320'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D. C. this 30th day of May in the year of our Lord one thousand nine hundred and eighty-six.

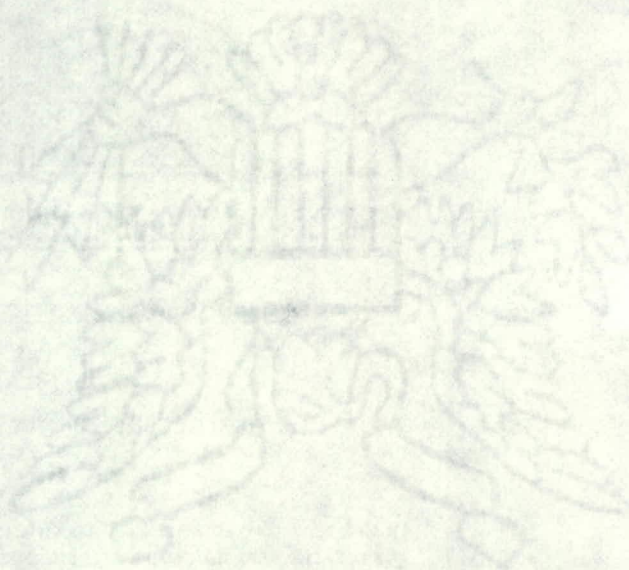
Attest:

Kenneth H. ...
Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Richard E. Lyng
Secretary of Agriculture



1851



U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

FORM APPROVED: OMB NO. 0581-0055

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions on reverse)

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) W-L Research, Inc.		2. TEMPORARY DESIGNATION Ca 7931-32		3. VARIETY NAME WL 320	
4. ADDRESS (Street and No. or R.F.D. No., City, State, and Zip Code) 2000 Oak Street Bakersfield, CA 93301		5. PHONE (Include area code) (805) 327-4491		FOR OFFICIAL USE ONLY VPPO NUMBER 8500032	
6. GENUS AND SPECIES NAME Medicago sativa L.		7. FAMILY NAME (Botanical) Leguminosae		FILING DATE 12/7/84 TIME 8:30 <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M.	
8. KIND NAME Alfalfa		9. DATE OF DETERMINATION November 1, 1983		AMOUNT FOR FILING \$ 1,800. DATE 12/7/84	
10. IF THE APPLICANT NAMED IS NOT A "PERSON," GIVE FORM OF ORGANIZATION (Corporation, partnership, association, etc.) Corporation				FEES RECEIVED AMOUNT FOR CERTIFICATE \$ 200. DATE 3/25/86	
11. IF INCORPORATED, GIVE STATE OF INCORPORATION California				12. DATE OF INCORPORATION Sept. 15, 1980 as amended	
13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS A.A. Hanson. Director of Research, W-L Research, Inc. 7625 Brown Bridge Rd., Highland, MD 20777 PHONE (Include area code): (301) 854-2100					
14. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED					
a. <input checked="" type="checkbox"/> Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the Plant Variety Protection Act.)					
b. <input checked="" type="checkbox"/> Exhibit B, Novelty Statement.					
c. <input checked="" type="checkbox"/> Exhibit C, Objective Description of Variety (Request form from Plant Variety Protection Office.)					
d. <input checked="" type="checkbox"/> Exhibit D, Additional Description of Variety.					
e. <input checked="" type="checkbox"/> Exhibit E, Statement of the Basis of Applicant's Ownership.					
15. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act.) <input checked="" type="checkbox"/> Yes (If "Yes," answer items 16 and 17 below) <input checked="" type="checkbox"/> No ACB 9/8/86					
16. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ACB 9/8/86			17. IF "YES" TO ITEM 16, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED? <input type="checkbox"/> Foundation <input type="checkbox"/> Registered <input type="checkbox"/> Certified		
18. DID THE APPLICANT(S) PREVIOUSLY FILE FOR PROTECTION OF THE VARIETY IN THE U.S.? <input type="checkbox"/> Yes (If "Yes," give date) <input checked="" type="checkbox"/> No					
19. HAS THE VARIETY BEEN RELEASED, OFFERED FOR SALE, OR MARKETING IN THE U.S. OR OTHER COUNTRIES? Seed of WL 320 was shipped to one franchiser in the United States in November, 1984. There have been no sales in other countries. <input checked="" type="checkbox"/> Yes (If "Yes," give names of countries and dates) <input type="checkbox"/> No					
20. The applicant(s) declare(s) that a viable sample of basic seeds of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable. The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act. Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.					
SIGNATURE OF APPLICANT <i>Angus R. Hanson Director of Research</i>				DATE 12/5/84	
SIGNATURE OF APPLICANT				DATE	

INSTRUCTIONS

General: Send an original copy of the application and exhibits, at least 2,500 viable seeds, and \$1,800 fee (\$200 filing fee and \$1,600 examination fee) to U.S. Department of Agriculture, Agricultural Marketing Service, Plant Variety Protection Office, National Agricultural Library Building, Beltsville, Maryland 20705. (See section 180.175 of the Regulations and Rules of Practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

Item

- 9 Give the date the applicant determined that he had a new variety based on (1) the definition in section 41(a) of the Act and (2) the date a decision was made to increase the seed.
- 14a Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4) evidence of uniformity and stability.
- 14b Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one or a group of related varieties: (1) identify these varieties and state all differences objectively; (2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.
- 14c Fill in the Exhibit C, Objective Description form, for all characteristics for which you have adequate data.
- 14d Describe any additional characteristics that are not described, or whose description cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 14e Section 52(4) of the Plant Variety Protection Act requires applicants to furnish a statement of the basis of the applicant's ownership. The applicant may be the actual breeder, the employer of the breeder, the owner through purchase or inheritance, etc.
- 15 If "Yes" is specified (*seed of this variety be sold by variety name only as a class of certified seed*) the applicant may NOT reverse his affirmative decision after the variety has either been sold and so labeled, his decision published, or the certificate has been issued. However, if the applicant specified "No," he may change his choice. (See section 180.16 of the Regulations and Rules of Practice.)
- 19 See section 41 (i, j) and 42 of the Plant Variety Protection Act and section 180.7 of the Regulations and Rules of Practice for eligibility requirements.

Novelty Statement for WL 320

WL 320 is a semi-dormant variety that is more winter hardy than most varieties that are similar in their fall growth characteristics. It is equivalent to WL 316 in vigor, yield potential, recovery after clipping and fall growth³. WL 320 has somewhat finer stems and darker-green foliage in mid-summer than WL 316. In addition, WL 320 can be distinguished from WL 316 in reaction to major alfalfa diseases and pest insects.

Percent resistance and ratings assigned in applications submitted to the NCAVRB

	WL 320		WL 316		Location Tested
	%	Rating	%	Rating	
Bacterial wilt	44	R	19.7	MR	Minn.
Phytophthora R.R.	36	R	14.4	LR ¹	Minn.
Fusarium wilt	69	R	48.8	R	Minn.
Verticillium wilt	26	MR	50	R	Wash.
Anthracnose	25	MR	61	R	Md.
Pea aphid	16	MR	3.0(score)	R	Md.
Blue aphid	21	MR	3.3(score)	LR	Ca.
Spotted aphid	45	MR	22.5	R	Ca.
Stem nematode	18	MR	22	MR	Ca.
Potato leafhopper yellowing	3.25(score)	<u>2</u>	3.63(score)		Md.

¹WL 316 had 22% resistance in Maryland, and a rating of MR. Phytophthora evaluation. Highland, MD. March, 1981

<u>Entry</u>	<u>% Resistance</u>
Agate	33
WL 316	22
WL 313	18
Saranac AR	9
LSD (.05)	9
CV (%)	28

¹²Potato leafhopper yellowing, Highland, MD

<u>Entry</u>	<u>Average Score</u>
MSB-11	2.25
WL 320	3.25
WL 313	3.50
WL 316	3.63
Saranac AR	3.75
Ranger	4.25
Lahontan	4.50
LSD (.05)	0.98
CV (%)	18.00

¹³Fall height estimates, Madison, WI

<u>Entry</u>	<u>Av. height in inches*</u>
WL 320	12.5
WL 316	12.5
WL 318	13.0
WL 313	12.0
Saranac AR	10.3
LSD (.05)	1.0
CV (%)	5.5

* clipped Sept. 8 and scored Oct. 4, 1983.

Fall height measurements, Highland, MD

<u>Entry</u>	<u>Av. height in inches*</u>
WL 320	13.6
DuPuits	14.3
Saranac	10.9
Ranger	8.2
Vernal	6.7
LSD (.05)	1.5
CV (%)	9.1

* clipped Sept. 14 and measured Oct. 27, 1983

Office of the
Secretary of the
Department of the
Interior

WL 320 is a moderately winter-hardy variety that is adapted for use in the midwestern and northcentral U.S. Mid-summer growth is erect with fall growth equivalent to WL 316 and somewhat similar to DuPuits. The variety resembles WL 316 but has somewhat finer stems, a darker green appearance in mid-summer (see exhibit B) and a significantly higher level of resistance to bacterial wilt and Phytophthora root rot, and lower (moderate) levels of resistance to both Verticillium wilt and anthracnose than WL 316. Furthermore, WL 320 and WL 316 were derived from different sources of germplasm.

No other commercially available variety exhibits the same combination of vigor and resistance to diseases and pest insects.

10. 10. 1911

London, 10. 10. 1911

Exhibit E

WL 320 is a proprietary variety developed by the research staff of W-L Research, Inc., a wholly owned subsidiary of Tejon Ranch Co. WL 320 is the sole property of W-L Research, Inc.

Applications have not been filed for the protection of WL 320 in any countries other than the United States.

//

RECORDATION FORM COVER SHEET
PVP CERTIFICATES ONLY

To the Acting Commissioner of the Plant Variety Protection Office. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

W-L RESEARCH, INC.

- ☐ Individual(s) ☐ Association
☐ General Partnership ☐ Limited Partnership
☒ Corporation - State Nevada
☐ Other _____

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☐ Assignment ☐ Merger
☒ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: June 23, 1998

2. Name and address of receiving party(ies):

Name: BANKAMERICA BUSINESS CREDIT, INC.

Street Address: 55 South Lake Avenue, Suite 900

City: Pasadena State: California
ZIP: 91101

- ☐ Individual(s) citizenship _____
☐ Association _____
☐ General Partnership _____
☐ Limited Partnership _____
☒ Corporation-State Delaware
☐ Other _____

If assignee is not domiciled in the United States, a domestic representative designation is attached: ☐ Yes ☐ No
(Designation must be a separate document from Assignment)
Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. PVP certificate identifying information:

A. PVP No.: **8500032**

B. Date certificate issued or application filed: **05/30/86**

C. Variety: **"WL 320" alfalfa**

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Tamsen Valoir
Jenkins & Gilchrist
Internal Address: _____

Street Address: 1445 Ross Avenue,
Suite 3200

City: Dallas State: Texas Zip: 75202-2799

6. Total number of PVP applications or certificates involved: **1**

7. Total fee (37 CFR 3.41): \$ **25.00**

- ☒ Enclosed
☐ Authorized to be charged to deposit account.

8. Deposit Account number: _____

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Tamsen Valoir

Name of Person Signing

Signature

June 30, 1998

Date

Total number of pages comprising cover sheet:

1

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PVP CERTIFICATE SECURITY AGREEMENT

WHEREAS, W-L RESEARCH, INC., a Nevada corporation ("Assignor"), having a business address of 8701 W. US Highway 14, Evansville, WI 53536, is the owner of the pending issued Plant Protection Act (PVP) certificate(s) listed below; and

WHEREAS, BankAmerica Business Credit, Inc., a Delaware corporation, having an office at 55 South Lake Avenue, Suite 900, Pasadena, California 91101 as "Agent" for the "Lenders" as defined and described in the Loan and Security Agreement dated as of June 23, 1998 ("Assignee"), is desirous of acquiring a SECURITY INTEREST in such PVP certificate(s);

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, said Assignor does hereby sell, assign, transfer and set over unto the said Assignee a SECURITY INTEREST in, to, and under the PVP certificate(s):

No. 8200030 Issued
No. 8200031 Issued
No. 8500032 Issued
No. 8600041 Issued
No. 8600042 Issued
No. 8700060 Issued
No. 8700074 Issued
No. 8700171 Issued
No. 8800172 Issued
No. 8900266 Issued
No. 9100147 Issued
No. 9100205 Issued
No. 9500010 Issued
No. 9500026 Issued
No. 9600215 Pending

W-L RESEARCH, INC.

By: 

Printed Name: Henry A. Ingalls

Title: Vice President

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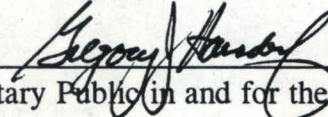
STATE OF TEXAS

§
§
§

COUNTY OF DALLAS

Henry A. Ingalls, Vice President, of W-L RESEARCH, INC., personally appeared before me, and being first duly sworn declared that he signed the security agreement in the capacity designated, and further states that he has read the above security agreement, and the statements therein contained are true.

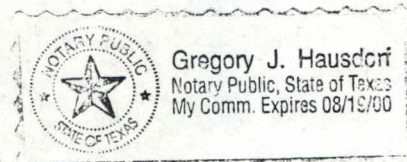
SUBSCRIBED AND SWORN TO before me this 23 day of June, 1998.



Notary Public in and for the State of Texas

My Commission Expires:

Printed Name



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